

NIXON PEABODY LLP
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Special Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	:	Chapter 11
	:	
THE ROMAN CATHOLIC DIOCESE OF	:	Case No. 20-12345 (MG)
ROCKVILLE CENTRE, NEW YORK,	:	
	:	
Debtor. ¹	:	

**NOTICE OF FORTIETH MONTHLY FEE STATEMENT
OF NIXON PEABODY LLP FOR COMPENSATION
FOR SERVICES RENDERED AND REIMBURSEMENT
OF EXPENSES INCURRED AS COUNSEL TO THE DEBTOR
FOR THE PERIOD FROM FEBRUARY 1, 2024, THROUGH FEBRUARY 29, 2024**

Name of Applicant:	Nixon Peabody LLP
Authorized to Provide Services to:	The Roman Catholic Diocese of Rockville Centre, New York
Date of Retention:	December 10, 2020, <i>nunc pro tunc</i> to October 1, 2020
Period for Which Compensation and Expense Reimbursement is Sought:	February 1, 2024, through February 29, 2024

¹ The Debtor in this chapter 11 case is The Roman Catholic Diocese of Rockville Centre, New York, the last four digits of its federal tax identification number are 7437, and its mailing address is 50 North Park Avenue, P.O. Box 9023, Rockville Centre, NY 11571-9023.

Amount of Compensation Requested: \$12,677.00

Less 50% Holdback: \$6,338.50

Net of Holdback: \$6,338.50

Amount of Expense Reimbursement Requested: \$0.00

**Total Compensation (Net of Holdback) and
Expense Reimbursement Requested:** **\$6,338.50**

This is a X Monthly Interim Final Fee Statement.

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In accordance with the *Order Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals*, entered on November 4, 2020 [Docket No. 129] (the “Interim Compensation Order”),² Nixon Peabody LLP (“Nixon Peabody”) hereby submits this fortieth monthly fee statement (the “Fortieth Monthly Fee Statement”), seeking compensation for services rendered and reimbursement of expenses incurred as special counsel to the Debtor, for the period from February 1, 2024, through February 29, 2024 (the “Fortieth Monthly Fee Period”). By this Fortieth Monthly Fee Statement, Nixon Peabody seeks payment in the amount of \$6,338.50, which comprises (i) 50% of the total amount of compensation sought for actual and necessary services rendered during the Fortieth Monthly Fee Period and (ii) reimbursement of 100% of actual and necessary expenses incurred in connection with such services.

SERVICES RENDERED AND EXPENSES INCURRED

1. Attached hereto as **Exhibit A** is a summary of Nixon Peabody professionals by individual, setting forth the (a) name and title of each individual who provided services during the Fortieth Monthly Fee Period, (b) aggregate hours spent by each individual, (c) hourly billing rate for each such individual at Nixon Peabody’s then-current billing rates, (d) amount of fees earned by each Nixon Peabody professional, and (e) year of bar admission for each attorney.

2. Attached hereto as **Exhibit B** is a summary of the services rendered and compensation sought, by project category, for the Fortieth Monthly Fee Period.

3. Attached hereto as **Exhibit C** is a summary of expenses incurred and reimbursement sought, by expense type, for the Fortieth Monthly Fee Period.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Interim Compensation Order.

4. Attached hereto as **Exhibit D** is a copy of the Nixon Peabody invoices for the Fortieth Monthly Fee Period.

NOTICE AND OBJECTION PROCEDURES

5. Notice of this Fortieth Monthly Fee Statement shall be given to the following parties (collectively, the “Notice Parties”): (i) The Roman Catholic Diocese of Rockville Centre, 50 N. Park Avenue, P.O. Box 9023, Rockville Centre, NY 11571-9023 Attn: Thomas Renker, Email: trenker@drvc.com; (ii) counsel to the Debtor, Jones Day, 250 Vesey Street, New York, NY 10281 Attn: Corinne Ball, Esq., Email: cball@jonesday.com, Benjamin Rosenblum, Esq., Email: brosenblum@jonesday.com, and Andrew M. Butler, Esq., Email: abutler@jonesday.com; (iii) counsel to the Committee: Pachulski Stang Ziehl and Jones LLP, 780 Third Avenue, 36th Floor, New York, NY, 10017, Attn: Ilan D. Scharf, Esq., Email: ischarf@pszjlaw.com, Karen B. Dine, Esq., Email: kdine@pszjlaw.com, and Brittany M. Michael, Esq., bmichael@pszjlaw.com; and (iv) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014, Attn: Greg Zipes, Email: Greg.Zipes@usdoj.gov, and Shara Cornell, Email: Shara.Cornell@usdoj.gov.

6. Objections to this Fortieth Monthly Fee Statement, if any, must be served via electronic mail upon the Notice Parties and Nixon Peabody LLP, 55 W. 46th Street, New York, NY 10036 Attn: Christopher M. Desiderio (cdesiderio@nixonpeabody.com) no later than 15 days after service and filing at 5:00 p.m. (prevailing Eastern Time) (the “Objection Deadline”), setting forth the nature of the objection and the specific amount of fees or expenses at issue.

7. If no objections to this Fortieth Monthly Fee Statement are received by the Objection Deadline, the Debtor shall promptly pay Nixon Peabody 50% of the fees and 100% of the expenses identified in this Fortieth Monthly Fee Statement.

8. To the extent that an objection to this Fortieth Monthly Fee Statement is received on or before the Objection Deadline, the Debtor shall withhold payment of that portion of this Fortieth Monthly Fee Statement to which the objection is directed and promptly pay the remainder of the fees and expenses in the percentages set forth above. To the extent such an objection is not resolved, it shall be preserved and scheduled for consideration at the next interim fee application hearing.

NO PRIOR REQUEST

9. No prior request for the relief sought in this Fortieth Monthly Fee Statement has been made to this or any other court.

Dated: March 25, 2024
New York, NY

/s/ Christopher M. Desiderio
NIXON PEABODY LLP
Christopher M. Desiderio
55 W. 46th Street
New York, NY 10036
Telephone: (212) 940-3000
Facsimile: (212) 940-3111
Email: cdesiderio@nixonpeabody.com

Special Counsel to the Debtor

EXHIBIT A

PROFESSIONAL PERSON SUMMARY

FEBRUARY 1, 2024 – FEBRUARY 29, 2024

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>RATE</u>		<u>HOURS</u>	<u>AMOUNT</u>
<u>PARTNER</u>					
Christopher Porzio	1997	\$925.00		0.70	\$647.50
Lindsay Maleson	2003	\$945.00		6.80	\$6,426.00
Tina Sciocchetti	2011	\$855.00		0.20	\$171.00
David May	2001	\$965.00		0.20	\$193.00
TOTAL PARTNER:				7.90	\$7,437.50
<u>COUNSEL</u>					
Michal Cantor	2015	\$750.00		2.60	\$1,950.00
Jennette Psihoules	2013	\$750.00		0.20	\$150.00
TOTAL COUNSEL:				2.80	\$2,100.00
<u>ASSOCIATE</u>					
Zachary Osinski	2018	\$645.00		3.30	\$2,128.50
Jack Murray	2020	\$810.00		0.60	\$486.00
TOTAL ASSOCIATE:				3.90	\$2,614.50
<u>LEGAL SUPPORT</u>					
Sharon Willier	n/a	\$375.00		1.40	\$525.00
TOTAL LEGAL SUPPORT:				1.40	\$525.00
TOTAL:				16.00	\$12,677.00

EXHIBIT B

COMPENSATION BY PROJECT CATEGORY³

FEBRUARY 1, 2024 – FEBRUARY 29, 2024

PROJECT CATEGORY	TOTAL HOURS	TOTAL FEES
000001	4.60	\$3,253.50
000048	0.40	\$343.00
000087	0.80	\$736.50
000122	4.60	\$3,247.00
000133	4.80	\$4,399.50
000159	0.80	\$697.50
TOTAL	16.00	\$12,677.00

³ Due to the confidential and sensitive nature of Nixon Peabody's engagement, only the matter numbers have been provided without the name of the applicable investigation or other matter.

EXHIBIT C

EXPENSE SUMMARY

FEBRUARY 1, 2024 – FEBRUARY 29, 2024

EXPENSE CATEGORY	TOTAL EXPENSES
N/A	\$0.00
TOTAL	\$0.00

EXHIBIT D

TIME DETAIL

[Please see attached.]



FEDERAL I.D. NO. 16-0764720

NIXON PEABODY
ATTORNEYS AT LAW

NIXONPEABODY.COM
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Rochester, NY 14604
TEL: (585) 263-1000
FAX: (585) 263-1600

Thomas Renker, Esq.
General Counsel
Diocese of Rockville Centre
PO Box 9023
Rockville Centre, NY 11570-9023

March 15, 2024
Invoice No. 10560123
Account: 002787
Terms: Due Upon Receipt

FOR PROFESSIONAL SERVICES RENDERED through February 29, 2024, including:

MATTER NO.: 000001 GENERAL

For Professional Fees:

Date	Timekeeper	Hours	Description of Services
GEN_ADV: General Advice			
02/03/24	M. Cantor	0.60	Prepare budget and staffing plans for Oct-Jan 2024 and Feb-May 2024.
02/13/24	L. Maleson	0.50	E-mails regarding budget and staffing issues.
02/16/24	M. Cantor	0.50	Prepare February-May 2024 budget and staffing plan.
02/26/24	L. Maleson	0.40	Finalize budget and staffing plans and send to client.
Task Total: General Advice		2.00	Task Fees: 1,675.50

PREP_FS: Preparation of Fee Statements

02/05/24	J. Murray	0.30	Correspondence with Nixon Peabody team regarding invoices and payment reconciliation.
02/09/24	L. Maleson	0.60	Review and revise time detail for confidentiality and privilege and direct team on preparation of fee statement.
02/09/24	S. Willier	0.30	Review and revise January 2024 time detail for confidentiality and privilege.
02/12/24	S. Willier	1.10	Draft Thirty-ninth Monthly Fee Statement with Exhibits A-D.
02/12/24	J. Murray	0.30	Attention to Certificate of No Objection for Monthly Fee Statement.

Nixon Peabody LLP
Invoice # 10560123 Page 2
Task Fees: 1,578.00

Task Total: Preparation of Fee Statements 2.60

TOTAL HOURS: 4.60

TOTAL FEES: **\$3,253.50**

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	1.50	1,417.50
<u>Counsel</u>			
M. Cantor	750.00	1.10	825.00
<u>Associates</u>			
J. Murray	810.00	0.60	486.00
<u>Paralegals</u>			
S. Willier	375.00	1.40	525.00
Total All Timekeepers:		<u>4.60</u>	<u>\$3,253.50</u>

TOTAL FOR MATTER -- GENERAL: **\$3,253.50**

MATTER NO.: 000048

U.S. TM: DIOCESE OF ROCKVILLE CENTRE LOGO

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
02/09/24	J. Psihoules	0.20	Report acceptance of Combined Declaration of Use and Incontestability and next deadline to renew registration.
02/09/24	D. May	0.20	Review Notice of Declaration of Use & Incontestability. Docket same.

TOTAL HOURS: 0.40

TOTAL FEES: \$343.00

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
D. May	965.00	0.20	193.00
<u>Counsel</u>			
J. Psihoules	750.00	0.20	150.00
Total All Timekeepers:		0.40	\$343.00

TOTAL FOR MATTER -- U.S. TM: DIOCESE OF ROCKVILLE CENTRE

LOGO: \$343.00

MATTER NO.: 000087

PERSON # 36

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
02/07/24	L. Maleson	0.10	Review and respond to e-mail regarding inquiry about matter.
02/08/24	L. Maleson	0.60	Call with Diocesan counsel regarding investigation (0.4). Follow-up with client and document related to same (0.2).
02/08/24	M. Cantor	0.10	Gather materials per L. Maleson's request.

TOTAL HOURS: 0.80

TOTAL FEES: \$736.50

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	0.70	661.50
<u>Counsel</u>			
M. Cantor	750.00	0.10	75.00
Total All Timekeepers:		<u>0.80</u>	<u>\$736.50</u>

TOTAL FOR MATTER -- PERSON # 36: \$736.50

MATTER NO.: 000122

ATTORNEY GENERAL INVESTIGATION

Client Reference: CL#DRC10021

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
02/01/24	M. Cantor	0.20	Participate in common interest call with counsel for the other New York Dioceses.
02/01/24	T. Sciocchetti	0.10	Attend common interest conference call among diocesan counsel.
02/07/24	Z. Osinski	2.40	Review and analyze updates to common interest research (1.4). Additional research related to same (0.8). Correspondence with M. Cantor and team regarding same (0.2).
02/15/24	C. Porzio	0.10	Confer with M. Cantor via e-mail regarding covering Common Interest calls.
02/15/24	C. Porzio	0.60	Participate in common interest call (0.3). Finalize notes on common interest call (0.2). E-mail common interest notes to M. Cantor (0.1).
02/15/24	T. Sciocchetti	0.10	Review common interest call report and discuss with Nixon Peabody team.
02/15/24	Z. Osinski	0.30	Correspondence with team regarding Common Interest calls.
02/23/24	Z. Osinski	0.60	Review and analyze updates to ongoing common interest research.
02/29/24	M. Cantor	0.20	Participate in common interest call with counsel for the other New York Dioceses.

TOTAL HOURS: 4.60

TOTAL FEES: \$3,247.00

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
C. Porzio	925.00	0.70	647.50
T. Sciocchetti	855.00	0.20	171.00
Partners Totals		0.90	818.50
<u>Counsel</u>			
M. Cantor	750.00	0.40	300.00
<u>Associates</u>			
Z. Osinski	645.00	3.30	2,128.50
Total All Timekeepers:		4.60	\$3,247.00

TOTAL FOR MATTER -- ATTORNEY GENERAL INVESTIGATION: **\$3,247.00**

MATTER NO.: 000133

PERSON # 65

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
02/13/24	L. Maleson	0.50	Review history and resolution of investigation.
02/13/24	L. Maleson	0.50	Review documents gathered by M. Cantor (0.2). Revise the same and send documents to client per their request (0.3).
02/13/24	M. Cantor	0.30	Gather investigative materials per client's request.
02/22/24	L. Maleson	0.50	Receipt, review and analysis of two reports from client (0.3). Prepare and send client questions to determine content of reporting letter (0.2).
02/22/24	L. Maleson	0.20	Direct M. Cantor regarding gathering documents.
02/22/24	M. Cantor	0.40	Review materials provided by the client and gather file documents in relation to same.
02/23/24	L. Maleson	0.40	Review client responses to questions posed about intake reports (0.2). Respond to the same (0.2).
02/23/24	L. Maleson	1.00	Draft reporting letter (0.7). Finalize and send the same to District Attorney with cover e-mail (0.2). E-mail client final letter and e-mail to District Attorney (0.1).
02/23/24	L. Maleson	1.00	Review various Diocesan files related to background of allegations.
TOTAL HOURS:		4.80	

TOTAL FEES: \$4,399.50

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	4.10	3,874.50
<u>Counsel</u>			
M. Cantor	750.00	0.70	525.00
Total All Timekeepers:		4.80	\$4,399.50

TOTAL FOR MATTER – PERSON # 65: \$4,399.50

MATTER NO.: 000159

DISCOVERY CONSULTATION

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
02/01/24	L. Maleson	0.20	Review and respond to Jones Day question regarding Diocesan records.
02/07/24	L. Maleson	0.30	Conference call with Jones Day and Client regarding Diocesan records.
02/07/24	M. Cantor	0.30	Conference with Jones Day and the client regarding discovery question.

TOTAL HOURS: 0.80

TOTAL FEES: \$697.50

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	0.50	472.50
<u>Counsel</u>			
M. Cantor	750.00	0.30	225.00
Total All Timekeepers:		0.80	\$697.50

TOTAL FOR MATTER -- DISCOVERY CONSULTATION: \$697.50

TOTAL FOR STATEMENT: \$12,677.00